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Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
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Michael J. Schmitt  
Chairman

Robert Cicero  
Vice Chairman

Talina R. Mathews  
Commissioner

August 13, 2019

Michael Fair  
65 Lanhamtown Road  
Liberty, KY 42539

**RE: Case No. 2019-00176**

New Cingular Wireless PCS, LLC Application for Issuance of a Certificate of Public Convenience and Necessity to Construct a Wireless Communications Facility in the Commonwealth of Kentucky in the County of Casey

Dear Mr. Fair:

The Public Service Commission acknowledges receipt of your public comment letter regarding your concerns as to the application for approval to construct a wireless communications facility in the case referenced above. Your comment has been placed in the official case file of this proceeding. The Commission will carefully analyze your comment as part of its review before rendering its final decision in this matter.

By this letter, we are forwarding a copy of your comment to the Applicant for a response. Commission Staff requests the Applicant to submit a written response to the comment, with a copy to the Commission, within 15 days of the date of this letter.

It may be helpful for you to know that federal law limits state authority, specifically that of the Commission, in the review of this matter. For example, Section 704 of the federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities based on environmental effects of the radio frequency emissions to the extent that facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable.

You may view Orders issued by the Commission or other formal case documents on our website at <http://psc.ky.gov>.

Mr. Fair  
August 13,  
2019  
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Thank you for your letter of interest and concern in this matter.

Sincerely,

A handwritten signature in black ink that reads "Gwen R. Pinson". The signature is written in a cursive style with a large, stylized 'G' and a long, sweeping underline.

Gwen R. Pinson  
Executive Director

cc: Parties of Record

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**RECEIVED**

*JUL 02 2019*

PUBLIC SERVICE  
COMMISSION

June 30, 2019

Commonwealth of Kentucky  
Public Service Commission  
211 Sower Blvd  
Frankfort, KY 40601

Regarding: *In the Matter of the Application of New angular Wireless PCS, LLC, a Delaware United Uability Company, dba AT&T Mobility for Issuance of a Certificate of Public Convenience and Necessity to Construct a Wireless Communications Facility In the Commonwealth of Kentucky in the County of Casey*

Public Service Commission Case No. 2019-Q0176

To Whom It May Concern:

I am a resident of Casey County Kentucky. I have become aware of a wireless tower proposed to be constructed in the vicinity of 74 Antioch Road, Liberty, KY.

Now that I know of the possible construction of the tower, I request that the Commission convene a public hearing concerning the building of this tower.

Sincerely,

*Michael Jui*  
*65 Lenhamtown Rd.*  
*Liberty, KY 42539*

\*Honorable David A Pike  
Attorney at Law  
Pike Legal Group PLLC  
1578 Highway 44 East, Suite 6  
P. O. Box 369  
Shepherdsville, KENTUCKY 40165-0369

\*New Cingular Wireless PCS, LLC dba AT&T  
1010 N St Mary's Street, 9th Floor  
San Antonio, TX 78215